

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Christopher Smith
(Name of Plaintiff)

CV-11-5122-CI

vs.

M.D. Edwards ho Specialist

P.A. Glen Silverman chronic care clinic

(Names of ALL Defendants)

CIVIL RIGHTS COMPLAINT

BY A PRISONER UNDER 42

U.S.C. § 1983 Official Individual Capacity Diabetes care clinic
Diabetes care clinic
Diabetes care clinic

I. Previous Lawsuits

A. Have you brought any other lawsuits in any federal court in the United States while a prisoner? ☒ YES ☐ NO

B. If your answer to A is yes, how many? 2 Describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff: Christopher Smith

Defendants: CAPTAIN MARVIN SPENCER Pierce county Jail

RECEIVED

-1-

(Rev. 11/09)

AUG 12 2011

CLERK, U.S. DISTRICT COURT
SPOKANE, WA

2. Court (give name of District): Western
3. Docket Number: 309-cv-05269-FDB-JRC
4. Name of judge to whom case was assigned: Credford
5. Disposition (For example: Was the case dismissed as frivolous or for failure to state a claim? Was it appealed? Is it still pending?):
dismissed without prejudice
6. Approximate date of filing lawsuit: 2009
7. Approximate date of disposition: 2010

II. Place of Present Confinement: Washington State Penitentiary

A. Is there a prisoner grievance procedure available at this institution? ☒ YES ☐ NO

B. Have you filed any grievances concerning the facts relating to this complaint?
☒ YES ☐ NO

If your answer is NO, explain why not: _____

C. Is the grievance process completed? ☒ YES ☐ NO

D. Have you sought other informal or formal relief from the proper administrative officials regarding the acts alleged in this complaint? ☐ YES ☐ NO

If your answer is NO, explain why not: lost claim declined also

III. Parties to this Complaint

A. Name of Plaintiff: Christopher Smith Inmate No.: 291523

Address: Washington State Penitentiary, 1313 North 13th Avenue
Walla Walla WA. 99362.

(In Item B below, place the full name of the defendant, his/her official position, and his/her place of employment. Use Item C for the names, positions and places of employment of any additional defendants. Attach additional sheets if necessary.)

B. Defendant: M.D. Edwards Official Position: Shoe Specialist Chronic
Care Clinic Diabetes

Place of Employment: Washington State Penitentiary 1313 North
13th Avenue Walla Walla WA. 99362.

C. Additional Defendants (NOTE: These Defendants must be listed in the caption of the Complaint.): P.A. Glen Silverman Diabetes Chronic Care Clinic.
Washington State Penitentiary 1313 North 13th Avenue
Walla Walla WA 99362.

IV Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates, places and other persons involved. Do not give any legal arguments or cite any cases or statutes. If you allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets if necessary.)

For 2 years Also 3 months no diabetes shoes.
 ON 3-12-09. I Arrive Chronic Care Diabetes Prisoner to Washington

State Penitentiary with orange sticker on file stating Chronic Diabetes.

Prisoner. ON 7-21-09. I WAS chronic in the clinic interviewed in the

By Glen Silverman P.A. Over Chronic Diabetes Clinic. he ASSured me

that I would receive adequate Diabetes foot wear. ON 09-15-2010.

I WAS ISSUED NEW BALANCE TENNIS SHOES By M.D. DR. EDWARDS. ALSO H.S.R.

I STATED immediately these are not Diabetes shoes adequate care I wrote

A grievance. He ALSO Glen Silverman stated due to BUDGETARY restrictions

ALSO M.D. EDWARDS STATED THIS THATS ALL YOU GET I STATED these are regular

Tennis shoes. they said we are Doctors their good enough. eating

for my feet. taking insulin twice daily. Being hospitalized in 2008

with Blood sugar 503. I WAS Afraid. then on 5-4-11. The worst

HAPPEN I could no longer bare weight on my Right foot I went to Sick call

P.A. Glen Silverman Along with DR. EDWARDS Look Between 4 & 5 toe they said

my God he should HAVE BEEN wearing diabetes shoes. their was

A hole ALSO green infection ALSO unknown fungus. Later known AS Peniculus.

thes officials clearly gave me the wrong shoes. it caused moisture An fungus

Now remember I arrive 3-12-09. When P.A. Glen Silverman Along with DR. EDWARDS

Recognize their Deliberate indifference of no diabetes shoes 2 years 3 months.

He on 5-11-11. refered me BACK to DR. EDWARDS. Not know He AND Silverman avoided

ordering Diabetes shoes. immediately. looking at permanent damage injury.

still I did not receive diabetes shoes until 6-18-11. Even though I received

H.S.R. After injury 5-11-11. then on 5-25-11. I SAW MD. RODRIGUES
NOW I AM NO PROLONG STANDING 30 minutes. chronic pain pills. Daily
Just to WALK Lower Back H.S.R. Antibiotics mental emotional
distress feeling Abutment. Budgetary restrictions was no excuse
When caring for Diabetes patient inadequate footwear also no Diabetes
shoes caused injury. they clearly gave me wrong shoes that caused moisture
new Balance Abutment some day. I sustained daily foot sores
Pain Pills NO PROLONG STANDING H.S.R. Past 30 minutes.
Diabetic shoes. until 6-18-11. this could have been prevented with adequate footwear is sent
also Diabetes (D) I lie myself the risk was obvious by my file on arrival then told I was
me 7-21-09. to chronic care diabetes clinic. How was it chronic care. pain meds
naproxen 500mg. Also Tylenol (3) codeine Tylenol 3. 25mg (3) times daily also no probus sent
Relief. foot infection unknown fungus. Hole in foot 4+5 Ale toe. Right. I take insulin
Twice Daily. Glaspium met formin. 3-12-09. 6-18-11. no Diabetes shoes. injury.
5-4-11. the risk was obvious with chronic Deeds
(State briefly exactly what you want the court to do for you. Make no legal arguments.
Cite no cases or statutes.) How does chronic care mean hurt me care entrusted to
Dr. Edwards. Also Glenn Silverman. Over Diabetes chronic care clinic at this facility.
How did a diabetic arrive 3-12-09. Did not get Diabetes shoes until 6-18-11. 2 years 3 months.
my feet are ruined. Permanently. cruel unusual punishment
In amount the court deems appropriate.
for cruel unusual punishment mental emotional distress
Also chronic pain suffering AN constitutional violations.
Phisical Right foot 4+5 Hole in toe. Phisical injury.
Now forced on pain meds to WALK. Daily also no prolong standing
Past 30 minutes. Also walk with a limp to feel alive right.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 9 day of 10, 2011.

Chris Smith
 (Signature of Plaintiff)

(5)

under P.A. Silverman

Also Dr. Edwards

Poor Care and Neglect:

AN Buggett restrictions statement

What it cost me a insulin dependent

diabetic to get a pair of shoes

it cost me my health:

Hole in Right foot No Prolong standing 30 minutes

foot soaks repeatedly

Anti Biotics infection

unknown fungus Hole in Right foot.

emotional mental distress fearing amputation

chronic pain. constant wanton infliction pain.

medications to walk pain killers.

taking pain pills to go in my wear

Lower Back chronic limited mobility

non corrective surgery cant fix this hole.

Lay in some days

use Pumice Stone on my feet

No Diabetes Shoes 2 years 3 months. Because of inadequate foot wear.

for Diabetics: At this facility

that's a high price by officials:

List of medications Because of this personal injury sustained

Gentamicin 1% oint

Tolnaftate 1% PWR.

Pain meds Acetaminophen 325 mg 3 times daily

Tylenol coden (3) 3 times daily

Naproxen 500 mg twice daily.

Ibuprofen 600 mg twice daily

Foot Soaks

H-S-R. No Prolong standing 30 minutes.

H-S-R Lower Back

H-S-R. ~~Lower Back~~